

**48-2e-1006 Proceeds and expenses.**

- (1) Except as otherwise provided in Subsection (2):
  - (a) any proceeds or other benefits of a derivative action, whether by judgment, compromise, or settlement, belong to the limited partnership and not to the plaintiff; and
  - (b) if the plaintiff receives any proceeds, the plaintiff shall remit them immediately to the limited partnership.
- (2) If a derivative action is successful in whole or in part, the court may award the plaintiff reasonable expenses, including reasonable attorney's fees and costs, from the recovery of the limited partnership.
- (3) A derivative action on behalf of a limited partnership may not be voluntarily dismissed or settled without the court's approval.

Enacted by Chapter 412, 2013 General Session